



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : William L. Hunter *et al.*
Application No. : 09/865,195
Filed : May 24, 2001
For : COMPOSITIONS AND METHODS FOR TREATING DISEASE
UTILIZING A COMBINATION OF RADIOACTIVE THERAPY
AND CELL-CYCLE INHIBITORS

Docket No. : 110129.420C2

Box Missing Parts
Assistant Commissioner for Patents
Washington, DC 20231

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor.

Assignee hereby appoints George C. Rondeau, Jr., Reg. No. 28,893; David H. Deits, Reg. No. 28,066; William O. Ferron, Jr., Reg. No. 30,633; Richard G. Sharkey, Reg. No. 32,629; David V. Carlson, Reg. No. 31,153; Karl R. Hermanns, Reg. No. 33,507; Michael J. Donohue, Reg. No. 35,859; Jane E. R. Potter, Reg. No. 33,332; Robert Iannucci, Reg. No. 33,514; Lorraine Linford, Reg. No. 35,939; David W. Parker, Reg. No. 37,414; E. Russell Tarleton, Reg. No. 31,800; Ellen M. Bierman, Reg. No. 38,079; Brian G. Bodine, Reg. No. 40,520; Robert M. Ward, Reg. No. 26,517; Frank Abramonte, Reg. No. 38,066; Kevin S. Costanza, Reg. No. 37,801; Stephen J. Rosenman, Reg. No. 43,058; Brian L. Johnson, Reg. No. 40,033; Susan D. Betcher, Reg. No. 43,498; William T. Christiansen, Reg. No. 44,614; Jeffrey C. Pepe, Reg. No. 46,985; Charles J. Rupnick, Reg. No. 43,068; Timothy L. Boller, Reg. No. 47,435; James M. Verna, Reg. No. 33,287; James A. Mesher, Reg. No. P-48,700; Mae J. Rosok, Reg. No. P-48,903; Dale R. Cook, Reg. No. 42,434; comprising the firm of Seed Intellectual Property Law Group PLLC, 701 Fifth Avenue, Suite 6300, Seattle, Washington 98104-7092, as its attorneys to prosecute this application and transact all business in the Patent

and Trademark Office connected therewith. Please direct all telephone calls to Jeffrey C. Pepe, Ph.D. at (206) 622-4900, telecopies to (206) 682-6031, and all written communications to:



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PATENT TRADEMARK OFFICE

Jeffrey C. Pepe, Esq.
Seed Intellectual Property Law Group PLLC
701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to Angiotech Pharmaceuticals, Inc., filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Angiotech Pharmaceuticals, Inc.
ASSIGNEE

07/30/01
DATE

David D. McMasters
David D. McMasters
Vice President Intellectual Property
and General Counsel

Enclosure: Copy of Assignment
197425



DECLARATION

As the below-named inventors, we declare that:

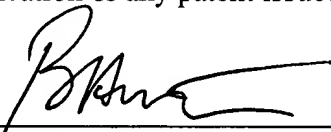
Our residences, post office addresses, and citizenships are as stated below under our names.

We believe we are the original, first and joint inventors of the invention entitled "COMPOSITIONS AND METHODS FOR TREATING DISEASE UTILIZING A COMBINATION OF RADIOACTIVE THERAPY AND CELL-CYCLE INHIBITORS," which is described and claimed in the specification and claims of Continuation-in-Part Application No. 09/865,195, which we filed in the United States Patent and Trademark Office on May 24, 2001 and for which a patent is sought; and that this application, in part, discloses and claims subject matter disclosed in our earlier-filed Application No. 09/712,047, entitled "COMPOSITIONS AND METHODS FOR TREATING DISEASE UTILIZING A COMBINATION OF RADIOACTIVE THERAPY AND CELL-CYCLE INHIBITORS," which we filed in the United States Patent and Trademark Office on November 13, 2000.

We have reviewed and understand the contents of the above-entitled specification, including the claims, as amended by any amendment specifically referred to herein (if any).

We acknowledge our duty to disclose information of which we are aware that is material to the patentability and examination of this application in accordance with 37 C.F.R. § 1.56(a), including material information that occurred between the filing date of said earlier-filed application and the filing date of the Continuation-in-Part application.

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



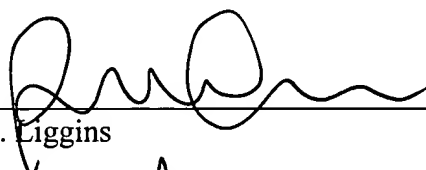
William L. Hunter

Date August 1, 2001
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Troy A.E. Loss

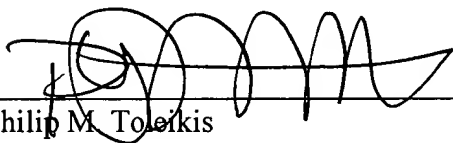
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Arpita Maiti

Date August 1, 2001

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Citizenship : Canada
P.O. Address : #211 – 2920 Ash Street
Vancouver, B.C. V5Z 4A6
CANADA



Philip M. Tolakis

Date AUGUST 1, 2001

Residence : City of Vancouver
Province of British Columbia
Citizenship : Canada
P.O. Address : 3675 W. 28th Avenue
Vancouver, B.C. V6S 1S3
CANADA

ASSIGNMENT

COPY

WHEREAS, we, **William L. Hunter**, having the post office address of 937 Homer Street, Vancouver, B.C., V6B 2W6, Canada; **David M. Gravett**, having the post office address of 616 W. 21st Avenue, Vancouver, B.C., V5Z 1Y8, Canada; **Richard T. Liggins**, having the post office address of #414 – 523 Gatensbury Street, Coquitlam, B.C., V3J 5E8, Canada; **Troy A. E. Loss**, having the post office address of #3 – 1536 Eastern Avenue, North Vancouver, B.C., V7L 3G1, Canada; **Arpita Maiti**, having the post office address of #211 – 2920 Ash Street, Vancouver, B.C., V5Z 4A6, Canada; and **Philip M. Toleikis**, having the post office address of 3675 W. 28th Avenue, Vancouver, B.C., V6S 1S3, Canada (hereinafter referred to as ASSIGNORS), are the joint inventors of an invention entitled “COMPOSITIONS AND METHODS FOR TREATING DISEASE UTILIZING A COMBINATION OF RADIOACTIVE THERAPY AND CELL-CYCLE INHIBITORS,” as described and claimed in the specification for which an application for United States letters patent was filed on May 24, 2001 and assigned Application No. 09/865,195.

WHEREAS, **Angiotech Pharmaceuticals, Inc.** (hereinafter referred to as ASSIGNEE), a corporation of the Province of British Columbia, Country of Canada, having a place of business at 6660 N.W. Marine Drive, Vancouver, B.C., V6T 1Z4, Canada, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United

States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

Applicants' counsel is authorized to insert the official filing date and application number information when it becomes available.

August 1, 2001
Date

William L. Hunter
William L. Hunter

Province of British Columbia)
Country of Canada) ss.

I certify that I know or have satisfactory evidence that William L. Hunter is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated August 1, 2001

Signature of Notary Public Valerie Mann

Printed Name Valerie Mann

My appointment expires VALERIE C. MANN

Barrister & Solicitor
1000 - 925 W. GEORGIA ST.
VANCOUVER, B.C. V6C 3L2
(604) 685-3456

Date 1 August, 2001 David M. Gravett
Province of British Columbia)
Country of Canada) ss.

I certify that I know or have satisfactory evidence that David M. Gravett is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated August 1, 2001
Signature of Notary Public [Signature]
Printed Name Valerie Mann
My appointment expires VALERIE C. MANN
Barrister & Solicitor
1000 - 925 W. GEORGIA ST.
VANCOUVER, B.C. V6C 3L2
(604) 685-3456

Date 1 August 2001 [Signature]
Richard T. Liggins
Province of British Columbia)
Country of Canada) ss.

I certify that I know or have satisfactory evidence that Richard Liggins is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated August 1, 2001
Signature of Notary Public [Signature]
Printed Name Valerie Mann
My appointment expires VALERIE C. MANN
Barrister & Solicitor
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(604) 685-3456

9 August, 2001
Date Troy A. E. Loss
Province of British Columbia)
Country of Canada) ss.

I certify that I know or have satisfactory evidence that Troy A. E. Loss is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

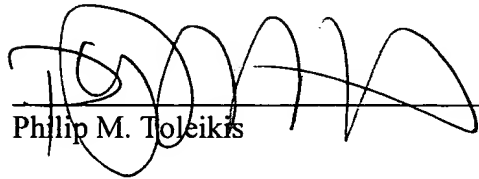
Dated August 9, 2001
Signature of Notary Public Valerie Mann
Printed Name Valerie Mann
My appointment expires VALERIE C. MANN
Barrister & Solicitor
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(604) 685-3456

August 1, 2001
Date Arpita Maiti
Province of British Columbia)
Country of Canada) ss.

I certify that I know or have satisfactory evidence that Arpita Maiti is the person who appeared before me, and said person acknowledged that the signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

Dated August 1, 2001
Signature of Notary Public Valerie Mann
Printed Name Valerie Mann
My appointment expires VALERIE C. MANN
Barrister & Solicitor
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August 1, 2001
Date

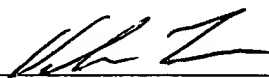

Philip M. Toleikis

Province of British Columbia)
Country of Canada)

ss.

I certify that I know or have satisfactory evidence that Philip M. Toleikis is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated August 1, 2001

Signature of
Notary Public 

Printed Name Valerie Mann

My appointment expires VALERIE C. MANN

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